




J. Craig Whitley
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In Re:

ACE MOTOR ACCEPTANCE
CORPORATION,

Debtor

ACE MOTOR ACCEPTANCE
CORPORATION,

Plaintiff,

v.

MCCOY MOTORS, LLC, MCCOY
MOTORS, LLC d/b/a RIDE FAST;
ROBERT MCCOY, JR., ESTATE OF MISTY
MCCOY, FLASH AUTOS, LLC, ROBERT
MCCOY III, MCCOY JOINT REVOCABLE
TRUST

Defendants.

CASE NO. 18-30426

CHAPTER 11

ADV. PRO. NO. 18-03036

**ORDER APPROVING MOTION PURSUANT TO FEDERAL RULE OF
BANKRUPTCY 9019 FOR ENTRY OF ORDER APPROVING SETTLEMENT
AGREEMENT [DOC. NO. 206] AND FOR ENTRY OF CONSENT JUDGMENT**

Before the court is the Motion Pursuant to Federal Rule of Bankruptcy Procedure 9019 for Entry of Order Approving Settlement Agreement and for Entry of Consent Judgment [Doc. No. 206] (the “Motion”) filed pursuant to Rule 7058 of the Federal Rules of Civil Procedure, Bankruptcy Rule 9019 and Local Rule 9019-1. The Motion and the court’s Order Allowing Limited Notice of the Motion [Doc. No. 210] was served on parties in interest and no objections to the Motion have been filed during the ten day time period allowed by the court.

Defendant Robert McCoy III has executed the Settlement Agreement (Exhibit 1 to the Motion) and the Stipulations of Facts and Law (the “Stipulations”) attached to the Settlement Agreement as Exhibit C, on behalf of defendant Robert McCoy, Jr. through a General Financial Power of Attorney dated August 8, 2020 (Exhibit D to the Settlement Agreement) and pursuant to North Carolina General Statute Chapter 32C (“North Carolina Uniform Power of Attorney Act”). The Motion requests a finding Robert McCoy III has the power, authority, capacity and competence to act on behalf of and bind Robert McCoy Jr. with respect to the Settlement Agreement and the Stipulations. The court believes that there is good cause for making such a finding and the court so finds.

Having considered the pleadings, the arguments of counsel, and the history of this proceeding, the court finds that the Settlement Agreement is adequate, fair, reasonable, and equitable, and that it should be approved. The Court shall retain jurisdiction over the parties and subject matter of this action for the purpose of enforcing and/or interpreting the Settlement Agreement and the Consent Judgment.

IT IS THEREFORE ORDERED that the Settlement Agreement should be and hereby is APPROVED. The court will separately enter a Consent Judgment.

This Order has been signed electronically. The judge’s signature and court’s seal appear at the top of the Order

United States Bankruptcy Court